

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

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**Case No.:** 12-31859  
**Judge:** Susan V. Kelley  
**Chapter:** Chapter 13

**In Re: John C Rooney  
Delores Marie Rooney**

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Geraci Law, LLC, Attorneys for the Debtors, have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, on or before 21 days from the date of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk, U.S. Bankruptcy Court  
517 E. Wisconsin Ave., Rm. 126  
Milwaukee, WI 53202

If you mail your request or response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to the parties listed below and on the attached mailing matrix:

Andrew M. Golanowski  
Geraci Law, LLC  
2505 N. Mayfair Road, Suite 101  
Wauwatosa, WI 53226  
Phone: (414) 475-0100  
Email: [wal@geracilaw.com](mailto:wal@geracilaw.com)

United States Trustee  
Eastern District of Wisconsin  
517 East Wisconsin Avenue, Room 430  
Milwaukee, WI 53202

Mary B. Grossman  
Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203

Geraci Law, LLC  
Andrew M. Golanowski  
2505 N. Mayfair Rd. #101  
Wauwatosa, WI 53226

John C Rooney  
Delores Marie Rooney  
1218 Appaloosa Trail  
Racine, WI 53402

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponents of this modification are the Debtors, through their Attorneys, Geraci Law, LLC.
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
  - A. \_\_\_\_\_ post-confirmation
  - B.   X   pre-confirmation (Select i. or ii.);
    - i. \_\_\_\_\_ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially or adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
    - ii.   X   Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors are (See Attached List).
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: See Below.
4. The reason for the modification is to provide for all claims.

5. Select A. or B.

A. \_\_\_\_\_ The Chapter 13 Plan confirmed or last modified on \_\_\_\_\_  
(date) is modified as follows: (State the specific language of the  
modification.)

B.   X   The unconfirmed Chapter 13 Plan is modified as follows: The  
secured mortgage arrearage claim by Bank of America, N.A. for  
\$3,402.22 shall be paid in full through the Plan. Allowed general  
unsecured claims shall receive a pro rata share of not less than \$8,562.

C. All remaining terms and provisions of the Plan are unaffected unless  
specifically addressed herein. In the event of a conflict between the  
original Plan and the modification set forth above, the latter shall  
supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION  
CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND  
ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE  
REMAINING TERMS AND PROVISIONS OF THE PLAN ARE  
CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

WHEREFORE, the Proponent requests that the Court approve the modification to the  
Chapter 13 Plan as stated herein.

Respectfully submitted and dated this Monday, January 14, 2013.

By: /s/ Andrew M. Golanowski  
Andrew M. Golanowski  
Attorney for Debtor

Bar #: 1055499

Andrew M. Golanowski  
Geraci Law, LLC  
2505 N. Mayfair Road, Suite 101  
Wauwatosa, WI 53226  
Phone: (414) 475-0100  
Fax: (312) 332-6354  
Email: [wag@geracilaw.com](mailto:wag@geracilaw.com)

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**CERTIFICATE OF SERVICE**

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The undersigned, an Attorney, does hereby certify that a copy of this Certificate of Service and a copy of the attached Notice and Request to Modify Chapter 13 Plan were mailed First Class to the persons mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Milwaukee, WI on Monday, January 14, 2013:

John Rooney	See Attached List
Delores Marie Rooney	
1218 Appaloosa Trail	
Racine, WI 53402	

Additionally, the documents referenced above were also served via electronic means on the following individuals on Monday, January 14, 2013:

United States Trustee	Mary B. Grossman
Eastern District of Wisconsin	Chapter 13 Trustee
517 E. Wisconsin Ave.	P.O. Box 510920
Milwaukee, WI 53202	Milwaukee, WI 53203

Dated this Monday, January 14, 2013.

By: /s/ Andrew M. Golanowski  
Andrew M. Golanowski  
Attorney of the Debtor  
Bar #: 1055499

Andrew M. Golanowski  
Geraci Law, LLC  
2505 N. Mayfair Road, Suite 101  
Wauwatosa, WI 53226  
Phone: (414) 475-0100  
Fax: (312) 332-6354  
Email: [wal@geracilaw.com](mailto:wal@geracilaw.com)

CBE Group  
Attn: Bankruptcy Dept.  
131 Towe Park Dr Suite 1  
Waterloo, IA 50702

Bank of America, N.A.  
Attn: Bankruptcy Dept.  
450 American St  
Simi Valley, CA 93065

American Honda Finance  
Attn: Bankruptcy Dept.  
2170 Point Blvd Ste 100  
Elgin, IL 60123

State Collection Service  
Attn: Bankruptcy Dept.  
2509 S Stoughton Rd  
Madison, WI 53716

VW Credit INC  
Attn: Bankruptcy Dept.  
1401 Franklin Blvd  
Libertyville, IL 60048

Falls Collection SVC  
Attn: Bankruptcy Dept.  
Po Box 668  
Germantown, WI 53022

WFNNB/Victoria's Secret  
Attn: Bankruptcy Dept.  
Po Box 182789  
Columbus, OH 43218

Kohls/Capone  
Attn: Bankruptcy Dept.  
N56 W 17000 Ridgewood Dr  
Menomonee Falls, WI 53051

Capital One  
Attn: Bankruptcy Dept.  
Po Box 85520  
Richmond, VA 23285

Equifax  
Attn: Bankruptcy Dept.  
PO Box 740241  
Atlanta, GA 30374

Experian  
Attn: Bankruptcy Dept.  
PO Box 2002  
Allen, TX 75013

Transunion  
Attn: Bankruptcy Dept.  
PO Box 1000  
Chester, PA 19022

Home Depot  
Attn: Bankruptcy Dept.  
Po Box 6497  
Sioux Falls, SD 57117

Citgo/CBNA  
Attn: Bankruptcy Dept.  
Po Box 6497  
Sioux Falls, SD 57117

Exxon Mobil/Citi  
Attn: Bankruptcy Dept.  
Po Box 6497  
Sioux Falls, SD 57117

Credit First N  
Attn: Bankruptcy Dept.  
6275 Eastland Rd  
Brookpark, OH 44142

Gecrb/Gap  
Attn: Bankruptcy Dept.  
Po Box 981400  
El Paso, TX 79998

CAP1/Menards  
Attn: Bankruptcy Dept.  
Po Box 5253  
Carol Stream, IL 60197

Wells Fargo  
Attn: Bankruptcy Dept.  
Po Box 94498  
Las Vegas, NV 89193

Chase  
Attn: Bankruptcy Dept.  
Po Box 15298  
Wilmington, DE 19850

Discover  
Attn: Bankruptcy Dept.  
Po Box 15316  
Wilmington, DE 19850

Gecrb/Dick's  
Attn: Bankruptcy Dept.  
Po Box 1400  
El Paso, TX 79948

Sears/CBNA  
Attn: Bankruptcy Dept.  
Po Box 6282  
Sioux Falls, SD 57117

AMEX  
Attn: Bankruptcy Dept.  
Po Box 297871  
Fort Lauderdale, FL 33329

Chase  
Attn: Bankruptcy Dept.  
Po Box 15298  
Wilmington, DE 19850

Best Buy  
Bankruptcy Department  
PO Box 5238  
Carol Stream, IL 60197-5238